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OFFICE OF PETITIONS

In re Application of :
Southern : DECISION ON PETITION
Application No. 09/422,803 :
Filed: October 22, 1999 :
Atty. Docket: 00263/PP/IR/ :
:

This is a decision on the petition under 37 CFR 1.182, filed November 14, 2005, to revive the above-identified application.

The petition is DISMISSED.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.182." This is not a final agency decision.

A review of the application file discloses that a terminal disclaimer was filed in the instant application on August 27, 2001 to obviate a double patenting rejection with U.S. Pat. No. 6,054,270. Petitioner herein requests withdrawal of the terminal disclaimer filed August 27, 2001 with respect to U.S. Pat. No. 6,054,270.

If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent. Under appropriate circumstances, consistent with the orderly administration of the examination process, the nullification of a recorded terminal disclaimer may be addressed by filing a petition under 37 CFR 1.182 requesting withdrawal of the recorded terminal disclaimer.

After careful review of the record, it has been found that there remains an obviousness type doubling patenting as between U.S. App. No. 09/422,803 and U.S. Pat. No. 6,054,270. Accordingly, the terminal disclaimed filed August 27, 2001 with respect to U.S. Pat. No. 6,054,270 will not be withdrawn.

This application is being directed to Technology Center 1600 for further processing.

Further correspondence with respect to this matter should be addressed as follows:

By mail: **Mail Stop Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By hand delivery: U.S. Patent and Trademark Office
Customer Window, **Mail Stop Petition**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.


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Office of Petitions